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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,343	07/10/2003	Kouji Uno	SIC-03-018	5238
29863	7590	06/05/2006	EXAMINER	
DELAND LAW OFFICE			KAPLAN, HAL IRA	
P.O. BOX 69			ART UNIT	PAPER NUMBER
KLAMATH RIVER, CA 96050-0069			2836	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/618,343

Applicant(s)

UNO, KOUJI

Examiner

Hal I. Kaplan

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17, 20, 21 and 23-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 12-17, 20, 21 and 23-31 is/are allowed.
- 6) ☒ Claim(s) 10 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

1. The drawings were received on April 13, 2006. These drawings are accepted.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by the US patent of Mosteller, Jr. (4,379,237).

As to claim 10, Mosteller, Jr., drawn to a light intensity control device and circuit therefor, discloses a circuit for providing electrical current to a lighting device, read on the claimed circuit, wherein the circuit comprises: a current supply circuit that supplies DC current from a power supply (B1,B2) to the lighting device (20) along a current path; and a current limiting circuit (10,R1,R2,R3,R14) that includes an active resistance circuit (R1,R2,R3,R14) that limits electrical current flowing through the current supply circuit when voltage applied to the current limiting circuit (10,R1,R2,R3,R14) is above a minimum value (imperceptible level); wherein the current limiting circuit (10,R1,R2,R3,R14) comprises a field effect transistor (10) with a resistance (R2) coupled between a gate terminal and a source terminal thereof (see column 3, lines 1-6 and 17-28, and Figure 1).

As to claim 11, the resistance (R2) comprises a variable resistance (see column 4, lines 60-61 and Figure 1).

***Allowable Subject Matter***

4. Claims 1-9, 12-17, 20, 21, and 23-31 allowed.

5. The following is an examiner's statement of reasons for allowance:

Claims 1-9, 12-17, 20, 21, and 23-31 are allowed because none of the prior art of record discloses a second transistor having input and output current flowing terminals and a control terminal, wherein current flowing through the input and output current flowing terminals is communicated to the control terminal of the first transistor for controlling current flowing through the input and output current flowing terminals of the first transistor; and a resistance coupled in series with the input and output current flowing terminals of the first transistor and with the control terminal of the second transistor; wherein a voltage from the power supply is input to the resistance and to one of the input and output current flowing terminals of the second transistor such that a voltage applied to the control terminal of the second transistor through the resistance remains substantially constant in response to voltage fluctuations of the power supply so that substantially constant current flows through the input and output terminals of the first transistor; in combination with the remaining claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

6. Applicant's arguments, see Remarks, filed April 13, 2006, with respect to the objections and rejections of claims 1-9, 12-17, 20, 21, and 23-31 have been fully considered and are persuasive. The objections and rejections of claims 1-9, 12-17, 20, 21, and 23-31 have been overcome and are respectfully withdrawn.

7. Applicant's arguments filed April 13, 2006, with respect to claims 10 and 11 have been fully considered but they are not persuasive.

8. As to claim 10, Applicant's argument that Mosteller, Jr. neither discloses nor suggests a current supply circuit that supplies DC current from a power supply to the lighting device along a current path fails to comply with 37 CFR 1.111(b) because it amounts to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Mosteller, Jr. discloses a current supply circuit that supplies DC current from a power supply to the lighting device along a current path, as set forth above.

Applicant also states that resistances R1, R2, R3, and R14 in Mosteller, Jr. form a passive resistance circuit. However, R2 is a variable resistance, which is an active resistance; therefore, R1, R2, R3, and R14 form an active resistance circuit.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal I. Kaplan whose telephone number is 571-272-8587. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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